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Docket No.: MNKYP007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE REC

JAN 08 2002

Group 2100

In re Application of:

Gould et al.

App. Ref.: MNKYP007

Serial No.: 09/298,586

Filing Date: 04/23/99

Examiner: Pinchus M. Laufer

Art Unit: 2731

Title:

Method And Computer Program For Expanding And Contracting Continuous Play Media Seamlessly

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on December 7, 2001

Signed: Erica L. Mann

Erica L. Mann

Commissioner for Patents
Washington D.C. 20231

PETITION TO MAKE SPECIAL
37 C.F.R. 1.102 and MPEP § 708.02(VIII)

Sir:

1. Petition

Applicant hereby submits this revised petition to make this new application special. This application has not received any examination by the Examiner.

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2. Fee

A check for the petition amount has been included. The Office is authorized to charge any additional fees for this petition or credit any overpayment to Deposit Account No. 50-1351 (Order No. MNKYP007).

3. Claims

All of the claims in this case are directed to a single invention. If the Office determines that all of the claims presented are not directed to a single invention, then applicant will make an election without traverse as a prerequisite to the grant of special status.

4. Search

The searches were carried out by a technical expert using commercially available databases of patents and publications, and were then supplemented with materials provided by the client and in the undersigned agent's files.

The classes and subclasses searched include:

345/007, 345/013, 345/55, 345/123, 345/125, 345/127, 345/131, 345/133, 345/145,
345/146, 345/157, 345/326-328, 345/333-337, 345/341, 345/342, 345/349,
348/007, 348/012, 348/013, 348/390, 348/426;
395/155-161, 395/200, 395/326-327, 395/341-355
709/219, 709/250; and
712/022, 712/036.

The terms used in defining the search include:
"play media", "media expansion", "seamlessly", etc.

5. Discussion of Related References

There is submitted herewith a copy of each of the references deemed most closely related to the subject matter of the claimed invention. Also attached is form PTO-1449.

(1) U.S. Pat. No. 5,892,966 by Petrick et al., issued Apr. 6, 1999

This is titled "Processor Complex For Executing Multimedia Functions" and it teaches a computer processor complex that includes a hardware processor coupled to a multimedia coprocessor. This computer processor complex is capable of separately processing a stream of non-multimedia instructions in addition to a stream of multimedia instructions such as are used in MPEG audio and video.

The reference, while describing a system to process two separate data streams, fails to disclose a methodology for replaying segmented content, where additional segments can be added to a current data set for replay if desired, as required by the independent claims.

(2) U.S. Pat. No. 5,864,868 by Contois, issued Jan. 26, 1999

This reference is titled "Computer Control System And User Interface For Media Playing Devices" and it discusses interfaces for allowing a user to select pieces of media for replay. The claimed invention can be distinguished from the prior art reference in that the claimed invention requires that the segment being played be associated with a link to a second segment. Nor does the prior art reference disclose contracting a link to a media segment, as required by the claims.

(3) U.S. Pat. No. 5,828,788 by Chiang et al., issued Oct. 27, 1998

This is titled "System For Processing Data In Variable Segments And With Variable Data Resolution" and it discloses a video signal processing system that partitions data into a variable

number of data segments to reduce distortion. However, only a single piece of data is partitioned, and the resulting segments are replayed in consecutive order.

The claimed invention, in stark contrast, allows expansion of a segment being played through addition of a foreign data segment. Further, the invention as claimed uniquely allows insertion of the foreign data segment into what would otherwise be a continuously-played chain of segments. (See claims 2 and 11.)

(4) U.S. Pat. No. 5,805,806 by McArthur, issued Sep. 8, 1998

This patent is titled "Method And Apparatus For Providing Interactive Networking Between Televisions And Personal Computers" and it discusses devices that receive multiple types of signals (digital video and television). The devices then separate and process the different signals for output on a display.

The prior art patent, while teaching receiving and processing separate signals, does not teach or suggest determining whether to add a second segment to a first segment of data currently being played, as required by the independent claims. Further, the reference does not disclose or suggest inserting a second segment in between first segments in a chain of segments being replayed.

(5) U.S. Pat. No. 5,745,710 by Clanton, III, et al., issued Apr. 28, 1998

The Clanton reference is titled "Graphical User Interface For Selection Of Audiovisual Programming" and it discusses a graphical user interface for displaying and selecting video programs, enabled through settop box receivers that process video data. The graphical user interface is based upon a metaphor in which a world of spaces are organized as part of a studio back lot through which a user may navigate. By selecting objects displayed on the interface, video associated with that object is downloaded and displayed. One example presented includes a poster of a movie as the object. Upon selection of the poster, the movie is played.

However, the reference fails to disclose, teach or suggest the claimed limitations of making a determination whether expansion of a segment of data being played is desired, and if so, expanding a link (associated with the segment being played) to a second segment and playing the second segment. Further, the invention as claimed uniquely allows insertion of the foreign data segment into what would otherwise be a continuously-played chain of segments. (See claims 2 and 11.) Nor does the prior art reference disclose contracting a link to a media segment in response to a user indicia, as required by the claims.

(6) U.S. Pat. No. 5,623,588 by Gould, issued Apr. 22, 1997

This reference is titled "Computer User Interface With Non-Salience Deemphasis" and it discusses a process that graphically displays information (sound, video, graphics, calendars, and word processors) and visually marks certain portions of the information so that the user can see data in relation to both the context of its wholeness and the salience of its contents. In particular, the linear density or other appearance of the scroll bar (acting as a ruler or scale) varies with the density of the document salience (as indicated by different kinds of annotations or marks). The process also allows zooming between perspectives.

The reference fails to disclose, teach or suggest playing a segment and determining whether expansion of the segment is desired, at a point in time prior to reaching the end of the segment being played. Nor does the reference teach or suggest expanding a link associated with the segment being played to a second segment, which is played. Further, the invention as claimed uniquely allows insertion of the foreign data segment into what would otherwise be a continuously-played chain of segments. Nor does the prior art reference disclose contracting a link to a media segment in response to a user indicia, as required by the claims.

(7) U.S. Pat. No. 5,557,724 by Sampat et al., issued Sep. 17, 1996

This patent is titled "User Interface, Method, And Apparatus Selecting And Playing Channels Having Video, Audio, And/Or Text Streams" and it teaches a computer system capable of processing one or more data streams. A user interface has one or more displayed

representations which each correspond to one of the data streams. A user of the computer system can selectively adjust the processing of each of the data streams using the corresponding displayed representation of the user interface. In a particular example for playing multicasting audio, video, and/or text data streams, the user interface has a video window for displaying the video stream, a set of audio controls for controlling the play of the audio stream, and a text reader bar for displaying the text stream.

The reference, while describing a system to process two separate media streams, fails to disclose a methodology for replaying segmented content, where additional segments can be added to a current set of segments for replay if desired, as required by the independent claims.

(8) U.S. Pat. No. 5,076,584 by Openiano, issued Dec. 31, 1991

This reference is titled "Computer Game Controller With User-Selectable Actuation" and it discusses a controller for controlling the progression of a video game. The controller includes pressure or proximity sensor units and a multi-channel hand-held remote control transmitter.

The reference, while describing a controller that could potentially be used as an input device for use in conjunction with the claimed invention, fails to disclose, teach or suggest the claimed limitations of making a determination whether expansion of a segment of data being played is desired, and if so, expanding a link (associated with the segment being played) to a second segment and playing the second segment, as is required by each of the independent claims.

(9) Sack & Davis, "IDIC: Assembling Sequences From Story Plans And Content Annotations," URL: http://wsack.www.media.mit.edu/people/wsack/idic.html, (undated, but known to have been at this URL since Oct. 1998)

This reference discusses a system which can generate a video sequence according to a story plan by using artificial intelligence to select appropriate segments from an archive of annotated video. The system uses a simple planner to generate its stories.

segment of data being played is desired, and if so, expanding a link (associated with the segment being played) to a second segment and playing the second segment, as is required by each of the independent claims. Nor does it teach or suggest returning play to the original segment after playing the second segment.

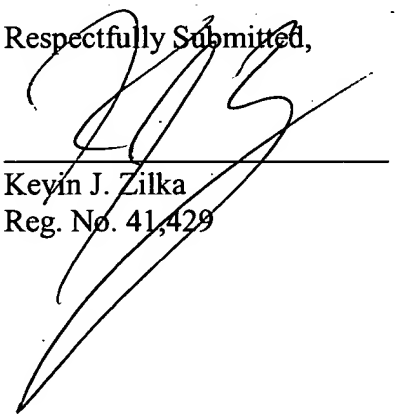
6. Conclusion

Applicant believes that this Petition to Make Special has met all requirements set forth by 3 7 C.F.R. 1.102 and MPEP § 708. 02(VIII), and respectfully requests that this Petition to Make Special be granted.

Silicon Valley IP Group
P.O. Box 721120
San Jose, California 95172-1120

Telephone: 408.971.2573

Respectfully Submitted,



Kevin J. Zilka
Reg. No. 41,429

Form [illegible] (Modified)	Atty. Docket No. MNKYP007	Application No.: 09/298,586
Information Disclosure Statement By Applicant	Applicant: Gould et al.	
(Use Several Sheets if Necessary)	Filing Date: 04/23/99	Group Art Unit: 2731

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	A	5,892,966	7/6/1999	Petrick et al.	395	800.36	6/27/1997
	B	5,864,868	1/26/1999	Contois	707	104	2/13/1996
	C	5,828,788	10/27/1998	Chiang et al.	382	239	12/14/1995
	D	5,805,806	9/8/1998	McArthur	395	200.8	12/18/1995
	E	5,745,710	4/28/1998	Clayton, III et al.	395	327	1/11/1996
	F	5,623,588	4/22/1997	Gould	395	326	12/14/1992
	G	5,557,724	9/17/1996	Sampat et al.	395	157	10/12/1993
	H	5,076,584	12/31/1991	Openiano	273	148	12/12/1990
	I						
	J						
	K						

Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-class	Translation Yes	Translation No
	L							
	M							
	N							
	O							
	P							

Other Documents

Examiner Initial	No.	Author, Title, Date, Place (e.g. Journal) of Publication
	R	Sack, Warren, et al.; "IDIC: Assembling Video Sequences from Story Plans and Content Annotation". MIT Media Lab, Machine Understanding Group, Cambridge, Massachusetts
	S	

Examiner	Date Considered

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.